

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL MEMORANDUM**

**HB 1258 – SB 1534**

May 26, 2009

**SUMMARY OF AMENDMENTS (005905, 007225, 009013):**

Amendment 005905 deletes all language after the enacting clause. Creates the Tennessee Second Look Commission to review cases and procedures related to child sexual abuse. The Commission is administratively attached to the Administrative Office of the Courts (AOC). Requires the Commission to review cases from the initial report of alleged abuse through to a finding or criminal conviction of abuse. Requires the Commission to meet at least quarterly and the first meeting to be no later than October 1, 2009. Written minutes of all meetings shall be kept and all research shall be organized and consolidated for future reference. Requires the Commission to submit a report regarding the development of protocol for the collection of data by February 1, 2010. Requires the Commission to report regarding its findings and recommendations no later than January 1, 2011, and each January thereafter. The required reports are to be submitted to the Governor, the Senate and House of Representatives Judiciary Committees, the Senate General Welfare, Health and Human Resources Committee, the House of Representatives Children and Family Affairs Committee, and the Select Committee on Children and Youth. Amendment 007225 adds the Director of the Select Committee on Children and Youth as a Commission member. Amendment 009013 sets a termination date of June 30, 2011, for the Commission unless continued by the General Assembly.

**FISCAL IMPACT OF ORIGINAL BILL:**

Increase State Expenditures - \$10,000/One-Time  
\$145,400/Recurring  
\$2,900/Each One-Day Meeting

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:**

Increase State Expenditures - \$10,000/One-Time  
\$145,400/Recurring  
\$4,400/Each One-Day Meeting

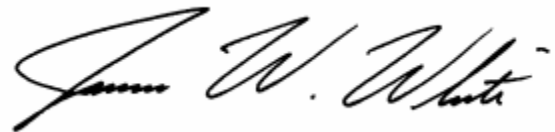
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Assumptions applied to amendments:

- The AOC would require one additional staff attorney to assist the Commission. Recurring expenditures of \$83,264 reflect \$60,336 for salary and \$22,928 for benefits. An additional analyst position would also be necessary at recurring expenditures of \$62,100 for salary (\$45,000) and benefits (\$17,100). One-time expenditures of \$10,000 for these two positions (\$5,000 for computer, furniture, and related items).
- Travel and per diem expenses for four legislative members of \$1,301.76 per meeting (\$171 per diem plus \$154.44 mileage for each member).
- A recurring increase in travel and per diem expenses for the Executive Director of Tennessee's Chapter on Children's Advocacy Center's is estimated at \$325.44 per meeting (\$171 per diem plus \$154.44 mileage).
- Travel expenses for 18 non-legislative members of \$2,779.92 per meeting (\$154.44 x 18).
- Total recurring expenses of \$4,407.12 for each one-day meeting (\$1,301.76 + \$325.44 + \$2,779.92).
- The Commissioner of Children's Services and the Executive Director of AOC will not receive per diem or mileage reimbursement.
- Additional assistant district attorney or assistant public defender positions cannot be created or funded absent statutory authorization.

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible.

James W. White, Executive Director

/lsc